

SENATE BILL 462

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2003 Regular Session
3r1098
CF 3r1097

By: **Senator Colburn**

Introduced and read first time: January 31, 2003

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: February 25, 2003

CHAPTER _____

1 AN ACT concerning

2 **Dorchester County - Alcoholic Beverages - Board of License Commissioners**

3 FOR the purpose of authorizing the Board of License Commissioners for Dorchester
4 County to employ an inspector and a recording secretary with the approval of
5 the County Council; requiring that the inspector and recording secretary be
6 employees of the county as provided for in the county budget; authorizing the
7 Board to appoint legal counsel with the approval of the County Council;
8 specifying that certain restrictions apply to legal counsel and staff assigned to
9 the Board; requiring that county personnel policies and rules apply to certain
10 persons and expenses; making technical corrections; and generally relating to
11 the Dorchester Board of License Commissioners.

12 BY repealing and reenacting, without amendments,
13 Article 2B - Alcoholic Beverages
14 Section 15-112(a)
15 Annotated Code of Maryland
16 (2001 Replacement Volume and 2002 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article 2B - Alcoholic Beverages
19 Section 15-112(k)
20 Annotated Code of Maryland
21 (2001 Replacement Volume and 2002 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
23 MARYLAND, That the Laws of Maryland read as follows:

Article 2B - Alcoholic Beverages

15-112.

(a) (1) The boards of license commissioners in this State may issue the alcoholic beverages licenses provided for by this article in their respective jurisdictions.

(2) Each board may employ a secretary and inspectors, clerical and other assistance as is necessary, and fix the compensation of the employees, except as otherwise provided by this article.

(3) In this section, "Board" means the Board of License Commissioners, unless otherwise noted.

(k) (1) This subsection applies only in Dorchester County.

(2) (I) A member or employee of the Board may not:

[(i)] 1. Have any financial interest, directly or indirectly, in the manufacture of any alcoholic beverage or in any alcoholic beverage purchased or sold under the provisions of this article; or

[(ii)] 2. Derive any profit or remuneration from the purchase or sale of any alcoholic beverage, other than the salary or wages payable for the performance of the duties of the office or position as required and authorized under this section.

[(3)] (II) A person who violates this [section] PARAGRAPH is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$2,000 or a term of imprisonment not exceeding 30 days.

(3) (I) WITH THE APPROVAL OF THE DORCHESTER COUNTY COUNCIL, THE BOARD MAY EMPLOY AN INSPECTOR AND A RECORDING SECRETARY WHO SHALL BE EMPLOYEES OF THE COUNTY AS PROVIDED IN THE COUNTY BUDGET.

(II) WITH THE APPROVAL OF THE DORCHESTER COUNTY COUNCIL, THE BOARD MAY APPOINT LEGAL COUNSEL.

(III) RESTRICTIONS APPLICABLE TO BOARD MEMBERS SHALL APPLY TO LEGAL COUNSEL AND STAFF ASSIGNED TO THE BOARD.

(IV) COUNTY PERSONNEL POLICIES AND RULES SHALL APPLY TO:

1. STAFF ASSIGNED TO THE BOARD; AND

2. BOARD AND STAFF EXPENSES.

(V) BOARD AND STAFF EXPENSES SHALL BE PROVIDED FOR IN THE COUNTY BUDGET.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2003.